



**U.S. Department of Justice
U.S. Attorney's Office
Western District of Texas**

Johnny Sutton, U.S. Attorney

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TWO EL PASO MEN SENTENCED IN MOVIE PIRACY CASE

United States Attorney Johnny Sutton announced today that Joseph Ray Rodriguez, and Gerardo Garay have been sentenced by United States District Judge David Briones for their roles in a scheme to distribute more than 5,000 illegally copied movie DVDs.

"Copying and selling pirated DVDs and CDs is a federal crime. These defendants have learned the high price of stealing the work of others," stated United States Attorney Johnny Sutton.

Gerardo Garay pleaded guilty on July 3, 2006, to one count of conspiracy to commit copyright infringement and was sentenced today to fifteen months in federal prison, three years of supervised release, two-hundred hours of community service, and \$15,000.00 in restitution to be paid to the Motion Picture Association of America, "MPAA". Garay admitted that between September 2005 and March 10, 2006, he illegally reproduced copies of more than 300 movies—some of which he downloaded from the internet—for Joseph Ray Rodriguez. Movie titles included "Chicken Little," "Hostel," "Jarhead," "Hitch," "Man on Fire," "Sahara," "Fantastic Four," "Saw II," "Lord of War," "The Exorcism of Emily Rose," "King Kong," "The Chronicles of Narnia" and others. Garay further admitted that he copied "King Kong" and "The Chronicles of Narnia" before they were released to the public on DVD. On average, Garay received \$4 per copy from Rodriguez.

On June 30, 2006, Joseph Ray Rodriguez pleaded guilty to one count of conspiracy to commit copyright infringement and two substantive copyright infringement counts. He was also sentenced today to fifteen months in federal prison; three years of supervised release, two-hundred hours of community service, and was ordered to pay \$15,000.00 in restitution MPAA. Rodriguez admitted to conspiring with Garay to illegally reproduce various movies then sell the copies to an individual he later learned was an undercover FBI agent for between \$5 and \$7 per copy.

On March 10, 2006, FBI agents executed a search warrant at both defendants' residences. During the course of these searches, agents seized computers, hard drives, a re-writable compact disc drive, a commercial grade DVD disc duplicator, printers, wireless router, a cable modem, computer software for copying DVD's, print cartridges and a spool of blank DVD's.

The defendants are out on bond, and have been ordered to surrender on January 12, 2007, to begin serving their sentence. Additionally, there is a forfeiture of the computers and other related equipment used to manufacture the counterfeit DVDs, as well as the counterfeit movie DVDs.

The case was investigated by the Federal Bureau of Investigation and is being prosecuted for the government by Assistant United States Attorney William F. Lewis, Jr.

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